

**IDAHO STATE BAR APPELLATE PRACTICE SECTION
GOVERNING COUNCIL MEETING**

MARCH 12, 2020, 12:00 p.m.

Location: Stoel Rives, 101 S. Capitol Blvd., Suite 1900, Boise, ID 87302

Attending: Ben McGreevy (Secretary/Treasurer, presiding officer), Brian Dickson (Past Chairperson), Stephen Adams (via telephone), Sara Berry, Christopher Graham, Leslie Hayes, Jaycee Nall, Jonathan Shirts (At-Large Council Members), Christopher Pooser

1. Minutes

The motion to approve the minutes from the February 13, 2020, Governing Council meeting, **passed**.

2. Budget

Ben noted the Section did not have updated financials more recent than the January 31, 2020, report. Section dues revenue was lower than in the budget, but that could reflect some people submitting their payments on the February 3 deadline. Ben reported that Kim Coster (Chairperson) did not have any updates on sales of *The Handbook*.

3. Events

a. *The Handbook*

Christopher renewed his request to have Council members review chapters of *The Handbook*. The preservation chapter, in particular, might have hyperlink problems. Stephen would send out the link to *The Handbook*, while Ben would send out the list of who had volunteered to review specific chapters.

b. *The Advocate* Sponsorship—September 2020 Issue

Jonathan, as the Council liaison for the September 2020 issue, confirmed that formal offers had been made to the article authors. Lindsey Welfley was the contact at the Bar. The Bar's hard deadline for articles was July 8, 2020. The following week, the Bar would edit and review the articles. The Bar would then assign their own editors to the articles and work with the writers. The final articles would be done by August 3, 2020.

Brian reminded the Council that the issue would also need a welcome from the Section Chair. Whether that would be Kim or the incoming Chair would be decided later.

Christopher Pooser asked if there would be room for an excerpt from *The Handbook*. The Section submitted one for a prior sponsored issue, but that was inadvertently omitted. Brian might have that excerpt. Jonathan would find out if there was room for an excerpt. He was not sure if Kim had finalized whether we would include an excerpt.

Jonathan also stated that the Section would need to decide which article would be the cover story, by July 8, 2020. *The Advocate* would let the Section choose.

As for internal deadlines, the Council ultimately agreed to have the authors submit draft articles to the Section by June 6, 2020, and to have the Section return the edited articles to the writers by June 24, 2020. The motion to set those deadlines passed.

Christopher Pooser noted that usually two people reviewed the draft articles. Sara emphasized that the authors should be informed that there will be two rounds of edits (the Section and the Bar).

Jonathan would provide the list of writer emails to Stephen, and Stephen would add the deadlines to the writers' calendars.

Christopher Pooser, Leslie, Stephen, and Sara indicated they would be happy to review articles. Leslie suggested Stephen should review the article she was co-writing, and vice versa, to make sure there was no excessive overlap.

c. CLE Speaker for 2020 ISB Annual Meeting—July 22-24 (Fort Hall)

Ben explained that the Bar was still looking for speakers for the Annual Meeting, and would pay for travel expenses. Leslie observed that the Section had been worried about its finances, and it was possible that a CLE would be a source of royalties after the Bar recorded it and made it available online. Leslie also suggested sending Stephen and his co-author, Trudy. Stephen was happy to do it, but did not know about Trudy's schedule. Leslie could also go, but could not commit her co-author, Bryan.

The Council proposed offering a CLE speaker or speakers to the Bar. The topic could be on the timeline of an appellate case. Ben would need to verify that the Section would get revenue from the CLE. The motion to send the proposal to the Bar **passed**.

Jaycee stated that a CLE presentation could help drum up interest for the sponsored issue of *The Advocate*.

d. Meet and Greet With Idaho College of Law—April 23, 2020

Ben thought the meet and greet events were worthwhile overall, but they did take a significant amount out of the Section's budget, and the attendance by judges/justices for the Boise

event was not great. The last event in Boise cost the Section \$660.50, and the last one in Moscow cost a similar amount.

Leslie stated that IWL had good experiences with scheduling their new judge receptions at the same time as judicial conferences.

Sara asked if the College of Law was planning one or two events. If one event, would it take place in Boise or Moscow? She suggested contributing a fixed amount to the costs, rather than fifty percent like last year. Ben and Jonathan would verify the number of events.

Ben informed the Council that the 2020 budget forecast a surplus of \$377, and the Section had \$5545 in assets.

Brian thought it was good to support the event, especially if it were held in Moscow.

The motion to authorize \$500 to contribute toward the Meet and Greet event(s) **passed**.

4. Proposed By-Laws Amendments

The motion to adopt the latest revision to the proposed by-law amendments, and submit those proposed amendments to the Section members for approval at the April meeting, **passed**.

5. April Member Meeting

a. Topic for Chief Justice Burdick

The Council discussed topics for Chief Justice Burdick's CLE at the April meeting, and decided that motion practice (rehearing, permissive appeals, and amicus briefs), as well as the Court's backroom practices, would be of interest. Jaycee would pass those topics to the Chief Justice. Stephen recommended emailing Dayna Ferrero at the Bar about the topics, so she could send an email about the CLE to the membership. Jaycee would also do that.

b. Nominations for Governing Council and Officers

Ben explained that there would be at least three Council positions up for election: two two-year positions and one one-year position. Ben also expressed his intent to run for Chair. Sara reminded the Section that we would need officers in place by April 23.

Jaycee asked about elections for the Court liaison position on the Council. She then informed the Council that Lori Fleming was interested in taking over that position, and cleared it with the Chief Justice. Lori could take over as part of the elections in April.

6. Appellate Rules Advisory Committee

The Council agreed that the Chair would be the Section's liaison to the Committee.

As for requesting proposals for adding, amending, or deleting rules, Brian stated that the Committee planned to look at the appellate rules soon, and the Section could ask if our members have anything they wanted to have examined. However, there was no indication on when the Section would meet.

Christopher Pooser was on the Committee, and he thought it would be good to coordinate such efforts with Lori, who was the head of the Committee. Sara thought it would be best to filter the proposals through the Chair.

The motion to circulate an email to the Section membership, asking for proposals, **passed**. The motion to defer sending an email until May also **passed**. The Section would wait for Lori to join the Council.

7. ISB 2020 Professionalism Awards Nominations

The nominations were due on March 27, 2020.

The motion to nominate the Section for the Best Section Award **passed**.

The motion to nominate Christopher Pooser for a Service Award, in light of his foundation of, and continued work on behalf of, the Section (such as his efforts on *The Handbook*), **passed**.

8. Adjournment

The meeting adjourned at 12:54 p.m.